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Attorney Docket No. 15162/05730

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re

U.S. Application of:

Hitoshi HAGIMORI and Kazuhiko ISHIMARU

For:

ZOOM LENS SYSTEM AND IMAGING DEVICE

HAVING THE SAME

U.S. Serial No.:

10/812,190

Confirmation No.:

2862

Filed:

March 29, 2004

Group Art Unit:

1646

Examiner:

To Be Assigned

**MAIL STOP MISSING PARTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

EXPRESS MAIL MAILING LABEL NO.: EL 794581456 US  
DATE OF DEPOSIT: SEPTEMBER 22, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the dated indicated above and is addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DERRICK GORDON

Name of Person Mailing Paper or Fee

Signature

SEPTEMBER 22, 2004

Date of Signature

**COMPLETION OF APPLICATION**

The Notice Of Omitted Item(s) In A Nonprovisional Application dated August 4, 2004 (copy enclosed), indicates that Figure 10 described in the specification has been omitted from the above-identified U.S. patent application.


Applicants submit herewith a true and exact copy of the Preliminary Amendment filed with the Application documents on March 29, 2004 which enclosed Figure 10. Applicants also submit herewith a copy of the returned Post Card showing that the Patent and Trademark Office received the documents.

Application No. 10/812,190

If a fee is required, please charge the \$130.00 surcharge fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Please charge any additional fees (other than issue fee) required during the pendency of this application to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Please credit any overpayment to Deposit Account No. 18-1260.

This document is being filed in duplicate.

Respectfully submitted,

By:   
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September 22, 2004

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UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 22 2004

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,190	03/29/2004	Hitoshi Hagimori	15162/05730

CONFIRMATION NO. 2862

FORMALITIES LETTER



\*OC000000013435267\*

 24367  
 SIDLEY AUSTIN BROWN & WOOD LLP  
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 SUITE 3400  
 DALLAS, TX 75201

Date Mailed: 08/04/2004

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

09/24/2004 DTESSEM1 00000006 181260 10812190

01 FC:1051

130.00 DA

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 10 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*M. Duong*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE